



BOARD OF COMMISSIONERS

1 S. Main St., 9th Floor
Mount Clemens, Michigan 48043
586-469-5125 FAX 586-469-5993
macombcountymi.gov/boardofcommissioners

FINANCE COMMITTEE

WEDNESDAY, NOVEMBER 19, 2008

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Adoption of Agenda, **AS AMENDED, TO INCLUDE #10A**
4. Approval of Minutes dated 8-13-08 (previously distributed)
5. Public Participation
6. List of Bills as Prepared by the Finance Department (mailed)
7. Review and Discuss Action Plan for Dependent Eligibility Audit (mailed)
8. Authorize the Planning and Economic Development Department to Work with Finance and Information Technology Departments to Develop Procedures to Accept Online Registrations and Credit Card Payments for Macomb County (recommended by PED Committee on 11-12-08) (mailed)
9. Report by Corporation Counsel Re: Proposed Fee Schedule for Appointment of Law Firms (requested at 9-24-08 meeting)
10. Appointment of Law Firm (mailed)
- 10a. Elimination of Transportation Specialist Position from Community Services Agency's Budget (attached)
11. Adopt Resolution Commending Detective Derek McLaughlin for Years of Dedicated Service (offered by DiMaria)
12. **Travel Requests:** (mailed)
 - a) Community Services (two)(back-up information for travel requests is on file in Board Office)

MACOMB COUNTY BOARD OF COMMISSIONERS

Andrey Duzyj - District 1
Marvin E. Sauger - District 2
Phillip A. DiMaria - District 3
Jon M. Switalski - District 4
Susan L. Doherty - District 5

Joan Flynn - District 6
Sue Rocca - District 7
David Flynn - District 8
Robert Mijac - District 9
Philis DeSaele - District 10

Ed Szczepanski - District 11
Peter J. Lund - District 12
Don Brown - District 13
Brian Brdak - District 14
Keith Rengert - District 15

William A. Crouchman
District 23
Chairman

Dana Camphous-Peterson
District 18
Vice-Chair

Leonard Haggerty
District 21
Sergeant-At-Arms

Carey Torrice - District 16
Ed Bruley - District 17
Paul Gielegem - District 19
Kathy Tocco - District 20

Betty Slinde - District 22
Sarah Roberts - District 24
Kathy D. Vosburg - District 25
Leon Drolet - District 26

13. Executive Session to Discuss Confidential Correspondence from Corporation Counsel
14. **Concur in Recommendations of Corporation Counsel:** (mailed)
 - a) Potential Litigation as Outlined in Attorney/Client Privileged Communication from Corporation Counsel
 - b) Case of LeBeau vs. County of Macomb, et al
 - c) Case of Yarbrough vs. Macomb County
 - d) Contract Issues with Benefit Control Methods for Senior Prescription Discounts
15. New Business
16. Public Participation
17. Adjournment

RESOLUTION NO. _____ FULL BOARD MEETING DATE: _____

6.

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO Approve List of Bills as Prepared and Provided under Separate Cover by the
Finance Department

INTRODUCED BY: Betty Slinde, Chair, Finance Committee

COMMITTEE/MEETING DATE

Finance 11-19-08

RECYCLABLE PAPER

RESOLUTION NO. _____

FULL BOARD MEETING DATE: _____

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO _____ Review and Discuss Action Plan for Dependent Eligibility Audit _____

INTRODUCED BY: _____ Commissioner Elizabeth Slinde, Chairperson _____

_____ Finance Committee _____

COMMITTEE/MEETING DATE

Finance _____ 11-19-08 _____



HUMAN RESOURCES DEPARTMENT

10 N. Main St., 4th Floor
Mount Clemens, Michigan 48043
586-469-5280 Fax 586-469-6974
macombcountymi.gov

November 12, 2008

Labor Relations:
Eric A. Herppich
469-7241

Personnel Services:
Douglas J. Fouty
469-6126

TO: Commissioner Elizabeth Slinde, Chairperson
Finance Committee and Committee Members

FROM: Eric A. Herppich, Acting Director
Human Resources

RE: Review and Discuss Action Plan for Dependent Eligibility Audit

The Dependent Eligibility Audit conducted by Next Generation, as well as the pre-established appeal process, has been completed. Responses from employees and retirees fall into the following categories:

Complete Compliance

Marginally Incomplete

- A. An item may be missing but a determination can be made to qualify the dependent
- B. The person submitted substitute documentation that can substantiate the record

Critically Incomplete

- A. A document is missing that prevents a determination of eligibility of the dependent
- B. The retiree did not sign the gainful employment cover page
- C. Conflicting documentation

Non-Responders

In addition, there were 13 employee responses and 22 retiree responses that are questionable which require follow-up by the County Human Resources Department.

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Commissioner Elizabeth Slinde, Chairperson
Finance Committee and Committee Members
November 12, 2008
Page 2

Attached is a summary report prepared by Next Generation regarding the final Audit report and recommended action in each category as summarized below:

Employees

Complete Compliance – No Action Required
Marginally Incomplete – No Action Required
Critically Incomplete – Dependent's Removed from Plan
Non-Responders – Dependent's Removed from Plan

Retirees

Complete Compliance – No Action Required
Marginally Incomplete – No Action Required
Critically Incomplete – Retiree and/or Dependent's Removed from Plan
Non-Responders – Retiree and/or Dependent's Removed from Plan

I recommend that the Finance Committee approve the recommended action, as indicated, with the exception of the Critically Incomplete responses, which warrant further discussion at the Finance Committee meeting on November 19, 2008.

EAH/mb
Attachment



Dependent Eligibility and Gainful Employment Audit Results

November 7, 2008

Active Employees

- 1827 employees received the original dependent audit mailing
- 1717 employees have been fully reviewed and all dependents were determined to be eligible
- 20 employees did not respond to the audit
- 19 employees sent in marginally incomplete documentation
- 47 employees sent in critically incomplete documentation
- 13 employees' information has been passed on to Macomb County for further review due to possible ineligibility

Retirees

- 1531 retirees received the original gainful employment audit mailing
- 1316 retirees have been fully reviewed and were determined to be eligible (along with any dependents, if applicable)
- 50 retirees did not respond to the audit
- 139 retirees sent in incomplete documentation
- 22 retirees' information has been passed on to Macomb County for further review due to possible ineligibility

Actions to Date

- Original mailing
- Follow-up letter
- Completion letter
- Interoffice delivery to non-responders
- Outbound calls to non-responders and those with incomplete documentation
- Certified letters sent to all non-responders and those with incomplete documentation informing them of an appeals period

Next Steps

- Decision on the final status of ineligible dependents

Outcomes

- Employees that failed to responded to the certified letters will have the dependent canceled as of 9/30/08 and the dependent may re-enroll as of 1/1/09 with proper documentation.
- Retirees/spouse and dependents (if any) failing to respond to the certified mail on gainful employment will have their health care canceled as of 9/30/08 and may re-enroll as of 1/1/09 with proper documentation.

Douglas Fouty - Dependent Audit Results - Revision

From: Tom Bone <tabone@nextgenerationenrollment.com>
To: Douglas Fouty <Douglas.Fouty@macombcountymi.gov>
Date: 11/7/2008 5:19 PM
Subject: Dependent Audit Results - Revision
CC: Bradley J Taylor <bjtaylor@nextgenerationenrollment.com>

Doug,

Attached are the revised results for the Dependent Audit. I made several changes including moving the active employees who sent all documentation except for their 1040 into the "marginally incomplete category." I also moved some other random ones into that category if they had a reason for not returning the documentation in a timely fashion including a few retirees whose certified letters were returned without a forwarding address. I encourage you to look at each employee listed in depth, but my recommendations are as follows:

- The 20 active employees who did not respond should have all of their dependents removed. This would be a total of 33 dependents.
- The 29 active employees with marginally incomplete audits should be allowed to remain on the plan.
- The 32 active employees with critically incomplete audits should have the dependents with missing information removed from the plan. This would be a total of 56 dependents.
- The 15 active employees with questionable situations should be looked at on a case-by-case basis and an internal decision should be made by Macomb County.
- The 45 retirees who did not respond should be removed along with all of their dependents. This would be a total of 45 retirees and 8 dependents.
- The 114 retirees with marginally incomplete audits should be allowed to remain on the plan along with their dependents.
- The 22 retirees with critically incomplete audits should be removed according to the documentation that was missing (in some cases it should only be the dependent removed). This would be a total of 21 retirees and 6 dependents.
- The 25 retirees with questionable situations should be looked at on a case-by-case basis and an internal decision should be made by Macomb County.

This would result in a total of 103 dependents and 66 retirees being removed from your plans.

Please let me know if you have any questions or need anything further.

Tom Bone
Next Generation Enrollment, Inc.
(616) 676-4802 office
(888) 277-4146 fax
tabone@nextgenerationenrollment.com

RECYCLABLE PAPER

RESOLUTION NO. _____ FULL BOARD MEETING DATE: _____

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Recommend the Board of Commissioners Authorize the Department of Planning and Economic Development to work with the Finance Department and Information Technology Department to Develop Procedures to Accept Online Registrations and Credit Card Payments for Macomb County, and Refer the matter to the Finance Committee

INTRODUCED BY: Kathy Vosburg, Chair, PED Committee

DESCRIPTION:

COMMITTEE/MEETING DATE

PED 11-12-08 Approved
Finance 11-19-08

RECYCLABLE PAPER

Finance

11-19-08

Distributed

OUTSIDE COUNSEL CASE REPORTING REQUIREMENTS

- Within sixty (60) days after receipt of the initial Complaint, counsel shall provide a report which shall include the following:
 1. A factual summary of the case.
 2. Unique legal problems.
 3. An analysis of the strengths and weaknesses of the lawsuit.
 4. A recommendation concerning what steps will be taken in proceeding with the case.
 5. An estimate of the fees which counsel believes will be incurred up until the time of a final pretrial, including preparing appropriate motions and going through the discovery process.
- It shall be the responsibility of counsel to explore, where reasonable, an early settlement of the matter if it is in the best interest of the County.
- Outside counsel shall not charge a fee for providing the above report.

**OUTSIDE COUNSEL'S RESPONSIBILITY FOR
REPORTING FEES AND COSTS INCURRED**

- Outside counsel shall provide billings to the Office of Corporation Counsel, at a minimal, every other month and preferably each month after the work is performed.
- The billings shall indicate the date, the attorney performing the work, the specific reason for the incurring of the charge (i.e. work performed), as well as the time spent in one-tenth of an hour increments. The billing shall also specify any costs incurred related to the lawsuit such as, but not limited to, filing fees, deposition costs, copying costs, etc. The County will not reimburse for on-line research costs.
- Each billing submitted for payment shall contain a summary of the work that was done during the billing period. If any unusual or unique time was spent, a full explanation as to why such time was necessary shall be provided. For example, but not by way of limitation, such specific report shall include an explanation for depositions taking longer than 5 hours, research which is 8 hours or more and the drafting of motions which are in excess of 8 hours.
- Outside counsel shall not charge a fee for providing the above information.

LAWSUITS INVOLVING SHERIFF DEPARTMENT

2003 - 2006

32 Outside
6 Internal
18 Settled
2 Tried
18 Dismissed

Attorney Fees: \$853,772.63 ÷ 32 = \$26,680.39

Attorney Fees: \$853,772.63
 (31,088.26) Auto
 (8,960.97) Auto
 (116,167.60) Website
 697,555.80 ÷ 29 = \$24,053.65

Under \$10,000	12
\$10,000 - \$20,000	10
\$20,001 - \$30,000	3
\$30,001 - \$40,000	3
\$40,001 - \$50,000	2
\$50,001 - \$60,000	
\$60,001 - \$70,000	1
\$70,001 - \$80,000	
\$80,001 - \$90,000	1
Over \$100,000	1
Over \$150,000	1

RECYCLABLE PAPER

RESOLUTION NO.

FULL BOARD MEETING DATE: _____

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: APPOINT THE LAW FIRM OF BLOMBERG, ANDERSON, P.C. TO REPRESENT THE MACOMB COUNTY PUBLIC WORKS COMMISSIONER IN THE LITIGATION ENTITLED ROSALIE WING V MACOMB TOWNSHIP AND MACOMB COUNTY PUBLIC WORKS COMMISSIONER

INTRODUCED BY: CHAIRPERSON BETTY SLINDE, FINANCE COMMITTEE

The Plaintiff in this case is the owner of a condominium in Macomb Township. The Plaintiff has sued the Township and Public Works Commissioner alleging that their actions have caused the possible of flooding her basement

The law firm of Blomberg, Anderson, P.C. has represented Macomb County and other municipalities for many years. Mr. Anderson has particular expertise in these types of cases. It is the recommendation of the Office of Corporation Counsel that the law firm of Blomberg, Anderson, P.C. continue to represent the Macomb County and the Macomb County Public Works Commissioner in this pending litigation.

COMMITTEE/MEETING DATE

FINANCE -- 11/19/08

RECYCLABLE PAPER

10a.

RESOLUTION NO. _____

FULL BOARD MEETING DATE 11/20/2008

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: Recommend that the Macomb County Board of Commissioners
eliminate the Transportation Specialist position from Community Services Agency's (MCCSA)
budget.

INTRODUCED BY: Commissioner Dana Camphous-Peterson, Chair Personnel Committee

Background

The Macomb/St. Clair Workforce Development Board did not renew the Commercial Driver's License (CDL) Training contract with MCCSA. Consequently, the contract ended on July 31, 2008. The employee subsequently was laid off on that date.

COMMITTEE/MEETING DATE

Finance Committee 11/19/2008

RECYCLABLE PAPER

12 a.

**MACOMB COUNTY
CONFERENCE/EMPLOYEE TRAINING REQUEST**

(Submit directly to Board of Commissioners Office at least one month preceding the date of the conference)

REQUESTING DEPARTMENT: Macomb County Community Services Agency

CONFERENCE TITLE: Mi Head Start Association 2008 Parent Training Conference

CONFERENCE SPONSORED BY: MI Head Start Association

CONFERENCE CLASSIFICATION: (circle one) Professional Conference Employee Training

CONFERENCE LOCATION: Midland, Michigan

RECEIVED
OCT 30 2008
MACOMB COUNTY
FINANCE

TRAVEL BEGINS Friday, November 21, 2008 TRAVEL ENDS Saturday, November 22, 2008

NUMBER OF PERSONS ATTENDING AT COUNTY EXPENSE: 6 MONTH DAY YEAR COMMISSION MEMBER

parents

STAFF MEMBERS

ESTIMATED EXPENSES PER PERSON TOTAL

REGISTRATION FEES \$ 160.00 960.00

TRANSPORTATION: COUNTY PERSONAL
☐ VEHICLE ☐ AIRPLANE ☒ VEHICLE \$ 133.40 2 vehicles 266.80
Friday, 11-21-08 Saturday, 11-22-08 \$ 81.59 489.54

LODGING-BEGINS ENDS
Month Day Year Month Day Year \$ 41.50 249.00

MEALS:..... \$ 41.50 249.00
 Fri Lunch & Dinner, Sat Dinner (Conference provides Fri - snack, Sat- breakfast & lunch)

MISCELLANEOUS EXPENSES:..... \$

SUB TOTAL - CONFERENCE EXPENSES \$

PER DIEM:..... \$

OVERTIME:..... \$

TOTAL ESTIMATED EXPENSE \$ 416.49 1965.34

SIGNATURE OF DEPARTMENT HEAD [Signature] DATE 10/30/08

- 1 Not to exceed cost of tourist class air fare
- 2 Not to exceed \$ per day
- 3 Not to exceed one day travel plus the duration of the conference
- 4 Calculate cost of any overtime anticipated as a result of the request

30189306
 Fund No. 89304 Org. No. 81022
GRANT FUNDS ONLY

(FOR FINANCE OFFICE USE ONLY)
 Budgetary Analysis

Budgeted..... \$ 12,500. -

Conference Expenses Approved to Date \$ 5816. -

Other Department Requests in Process \$ 10. -

This Request \$ 1965. -

Sub Total \$ 7781. -

BALANCE AVAILABLE (DEFICIT) \$ 4719. -

TO: Betty Slinde Chairman
Finance Committee Committee
FROM: Frank T. Taylor Director
Macomb County Community Services Agency Department
DATE: 10-24-08

SUBJECT: Conference and Seminar Request

I herewith request that the following individuals(s) be authorized to attend the
MI Head Start Association 2008 Parent Conference Conference/seminar
starting on Fri. 11-21-08 Sat. 11-22-08

NAME	CLASSIFICATION
<u>Tammy Patton -</u>	<u>Community Rep - Chair of Head Start Policy Council</u>
<u>Paul Iaquina -</u>	<u>Parent from Fraser - Vice Chair of Head Start Policy Council</u>
<u>Mary Ann Boyd</u>	<u>Parent from New Haven</u>
<u>Michael Bruci</u>	<u>Parent from Sterling Heights</u>
<u>Shaenita Paige</u>	<u>Parent from Sterling Heights</u>
<u>Theresa Koebke</u>	<u>Parent from Sterling Heights</u>

(If more room is required, attach separate sheet)

The benefit to Macomb County from attendance of the above-named individual(s) at the conference/seminar is detailed below:

The conference will provide the six (6) parents from the Head Start's Parent Policy Council the knowledge on issues that face low-income families so they can first report back to the council and then back to the 842 other Head Start parents in Macomb County. Conference option range from personal parenting issues to surviving in this economy.

 Department Head
Macomb County Community Services Agency Department

Files/conference training request

**MACOMB COUNTY
CONFERENCE/EMPLOYEE TRAINING REQUEST**

RECEIVED

NOV 10 2008

(Submit directly to Board of Commissioners Office at least one month preceding the date of the conference.)

REQUESTING DEPARTMENT: Macomb County Community Services Agency
 CONFERENCE TITLE: 2008 Michigan Weatherization Training Conference
 CONFERENCE SPONSORED BY: Michigan Department of Human Services

**MACOMB COUNTY
FINANCE**

CONFERENCE CLASSIFICATION: (circle one) Professional Conference Employee Training

CONFERENCE LOCATION: Kewadin Conference Center - Sault Ste. Marie, Michigan

TRAVEL BEGINS December 1 2008 TRAVEL ENDS December 4 2008
 MONTH DAY YEAR MONTH DAY YEAR

NUMBER OF PERSONS ATTENDING AT COUNTY EXPENSE: 4
 COMMISSION MEMBER
 STAFF MEMBERS

ESTIMATED EXPENSES	PER PERSON	TOTAL
REGISTRATION FEES	\$ <u>\$0</u>	\$ <u>\$0</u>
TRANSPORTATION: COUNTY <input type="checkbox"/> VEHICLE <input type="checkbox"/> AIRPLANE <input type="checkbox"/> <u>1</u> PERSONAL <input checked="" type="checkbox"/> VEHICLE	\$ <u>\$391.81</u>	\$ <u>\$391.81</u>
LODGING-BEGINS <u>Dec. 1 2008</u> ENDS <u>Dec. 3 2008</u> Month Day Year Month Day Year	\$ <u>\$180.54</u>	\$ <u>\$722.16</u>
MEALS:.....	\$ <u>\$89.50</u>	\$ <u>\$358.00</u>
MISCELLANEOUS EXPENSES:.....	\$ <u>\$0</u>	\$ <u>\$0</u>
SUB TOTAL - CONFERENCE EXPENSES	\$ <u>\$661.85</u>	\$ <u>\$1,471.97</u>
PER DIEM:.....	\$ _____	\$ _____
OVERTIME:.....	\$ _____	\$ _____
TOTAL ESTIMATED EXPENSE	\$ <u>\$661.85</u>	\$ <u>\$1,471.97</u>

SIGNATURE OF DEPARTMENT HEAD *Frank Taylor* DATE 11/7/08

- 1 Not to exceed cost of tourist class air fare
 2 Not to exceed \$_____ per day
 3 Not to exceed one day travel plus the duration of the conference
 4 Calculate cost of any overtime anticipated as a result of the request

301-89541-86322 - \$1,471.97
GRANT FUNDS ONLY

(FOR FINANCE OFFICE USE ONLY)
 Budgetary Analysis

Budgeted..... \$ 5436.
 Less:

Conference Expenses Approved to Date \$ 2683.

Other Department Requests in Process \$ -0-

This Request \$ 1,472.

BALANCE AVAILABLE (DEFICIT) Sub Total \$ 4,155.
 \$ 1,281.

TO: Elizabeth Slinde Chairperson
Finance Committee Committee
FROM: Frank T. Taylor Director
Macomb County Community Services Agency Department
DATE: _____

SUBJECT: Conference and Seminar Request

I herewith request that the following individuals(s) be authorized to attend the
2008 Michigan Weatherization Training Conference
starting on December 1 2008

NAME

CLASSIFICATION

Joseph Cooke

Community Operations Coordinator

Amy Rybicki

Weatherization Clerical Assistant

Dave Banks

Weatherization Inspector

Matt Figurski

Weatherization Inspector

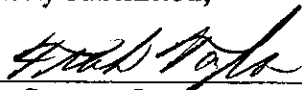
(If more room is required, attach separate sheet)

The benefit to Macomb County from attendance of the above-named individual(s) at the conference/seminar is detailed below:

This Conference is the primary Weatherization Training Conference for the year. It is at this Conference, that Administrative, Clerical, and Technical staff follow specifically designed tracks to receive the latest training, updates, policies, and best practices, as they pertain to the Weatherization Assistance Program.

Training is by provided by State Department of Human Services staff, outside vendors and speakers, and fellow Weatherization counterparts from around the state. Continuing Education Credits are also earned at this Conference.

Respectfully submitted,



Macomb County Community Services Agency

Department Head
Department

RECYCLABLE PAPER

RESOLUTION NO.

FULL BOARD MEETING DATE: _____

AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: CONCUR IN THE RECOMMENDATION OF CORPORATION COUNSEL
AND RISK MANAGEMENT REGARDING POTENTIAL LITIGATION AS OUTLINED IN
ATTORNEY/CLIENT PRIVILEGED COMMUNICATION OF CORPORATION COUNSEL

INTRODUCED BY: CHAIRPERSON BETTY SLINDE, FINANCE COMMITTEE

Correspondence regarding the recommendation will be provided to each Commissioner prior to the meeting.

COMMITTEE/MEETING DATE

FINANCE – 11/19/08

RESOLUTION NO.

FULL BOARD MEETING DATE: _____
AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: CONCUR IN THE RECOMMENDATION OF CORPORATION COUNSEL
AND OUTSIDE COUNSEL REGARDING THE CASE OF LeBEAU VS. COUNTY OF
MACOMB, ET AL

INTRODUCED BY: CHAIRPERSON BETTY SLINDE, FINANCE COMMITTEE

Correspondence regarding the recommendation will be provided to each Commissioner prior to the meeting.

COMMITTEE/MEETING DATE

FINANCE – 11/19/08

RESOLUTION NO.

FULL BOARD MEETING DATE: _____
AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: CONCUR IN THE RECOMMENDATION OF CORPORATION COUNSEL
AND OUTSIDE COUNSEL REGARDING THE CASE OF YARBROUGH VS. MACOMB
COUNTY.

INTRODUCED BY: CHAIRPERSON BETTY SLINDE, FINANCE COMMITTEE

Correspondence regarding the recommendation will be provided to each Commissioner prior to the meeting.

COMMITTEE/MEETING DATE

FINANCE – 11/19/08

RESOLUTION NO.

FULL BOARD MEETING DATE: _____
AGENDA ITEM: _____

MACOMB COUNTY, MICHIGAN

RESOLUTION TO: CONSIDER LEGAL OPINION OF CORPORATION COUNSEL
REGARDING CONTRACT ISSUES WITH BENEFIT CONTROL METHODS FOR SENIOR
PRESCRIPTION DISCOUNTS.

INTRODUCED BY: CHAIRPERSON BETTY SLINDE, FINANCE COMMITTEE

Separate correspondence from Corporation Counsel will be sent to each Commissioner.

COMMITTEE/MEETING DATE

FINANCE – 11/19/08